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**UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

DUANE JOHNSON,)	No. C-07-3563-EDL
)	
Plaintiff,)	
)	STIPULATION FOR DISMISSAL
v.)	and [PROPOSED] ORDER
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Plaintiff, Duane Johnson and Defendant, United States of America., pursuant to Rule 41(a)(1) of the Fed.R.Civ.P. hereby Stipulate to Dismissal of this action, with prejudice, each party to bear its own costs, including any attorney's fee.

SCOTT SCHOOLS
 United States Attorney

/s/ Cynthia Stier
 CYNTHIA STIER
 Assistant United States Attorney
 Tax Division

Attorneys for United States

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*Stipulation for Dismissal and
 [Proposed] Order,
 C-07-3563-EDL*

1 Dated: October 3, 2007

/s/ Montie S. Day
MONTIE S. DAY
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P.O. Box 1045
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Attorney for Plaintiff

8 **ORDER**

9 Pursuant to the Stipulation for Dismissal filed by the Plaintiff, Duane Johnson and
10 Defendant, United States of America, **IT IS HEREBY ORDERED** this action is dismissed with
11 prejudice, each party to bear its own costs, including any attorney's fee.

12 Dated: _____

ELIZABETH D. LAPORTE
United States Magistrate Judge

28 *Stipulation for Dismissal and*
[Proposed] Order,
C-07-3563-EDL